

Chapter 6

Performance Management Program

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6-1. Purpose

This regulation establishes the Performance Appraisal Program for Mississippi National Guard Technicians and is consistent with Chief National Guard Bureau Instruction (CNGBI) 1400.25, Volume 431. The Performance Appraisal Program utilizes a multi-level summary rating method that makes distinctions among employees or groups of employees such as comparing, categorizing, and ranking employees or groups on the basis of their performance.

6-2. Applicability

This instruction applies to all Title 5 and Title 32 National Guard technicians of the Mississippi National Guard. Technicians occupying time limited temporary positions and those technicians for which employment does not exceed the minimum performance in a consecutive 12 month period who are not employed at the end of the rating period.

6-3. Responsibilities

Responsibilities are outlined in Enclosure A.

6-4. References

References are outlined in Enclosure G.

6-5. Explanation of Terms

Definitions of special terms used in this regulation are listed in the Glossary.

6-6. Policy

It is MSNG policy to provide a fair, credible, and transparent performance appraisal program to link bonuses and other performance-based actions to employee performance IAW Section 9902 of reference e (see Enclosure G) by developing and maintaining a results-oriented performance culture, based off technician performance plans.

6-7. Technician Performance Plan

Performance plans will support and align with Department of Defense (DoD) core values, Chief of the National Guard Bureau and the Adjutant General's mission and goals, organizational program and policy objectives, annual performance plans, and other measures of performance. Performance plans will be provided to employees at the beginning of each appraisal period (normally within 30 days). Document the date of communication in the MyPerformance appraisal tool or on DD Form 2906, "Department of Defense Performance Plan, Progress Review, and Appraisal." Changes to mission, organizational goals, work unit priorities, or assigned duties that occur during the appraisal cycle may necessitate revisions to the performance plan.

6-8. Performance Expectations

In accordance with reference c, performance expectations include critical elements, and performance standards that will not be based on personality traits, attitudes, or similar aspects of personal demeanor, unless in accordance with references f and g, they are essential to accomplishment of assignments involving interaction with the public or others outside the agency. Conduct that constitutes an offense will be treated as a matter for discipline, not performance, except that, to the extent conduct such as dereliction of duty or failure to follow

instructions inherently involves work performance, the conduct may be addressed as a performance issue rather than a disciplinary matter in accordance with reference h.

6-9. Timeline

The annual appraisal period will normally be 01 April to 31 March. During initial conversion into this new Performance Appraisal Program, organizations may be subject to an appraisal period other than the standard cycle. Normally within 30 days of the beginning of each appraisal cycle, supervisors and technicians should discuss performance goals for the upcoming period. Supervisors must allow technicians the opportunity to provide input into their performance elements and standards. Supervisors must develop and approve the performance elements and standards. Periods during which a technician is in a non-pay status (for example, leave without pay, absence-without leave) may not be applied toward the 90 calendar day minimum.

6-10. Three Tier Rating Level Evaluation Method

NGB uses a three tier rating level evaluation method to describe technician performance. Use these rating levels as a reference point for applying other personnel actions including but not limited to, within grade increases (WGI)/Step Increases IAW references i and j; Incentive Awards IAW references l and m; reassignments, reductions in grade: removals IAW references c and n; promotions. IAW reference n, and reduction in force IAW references n and o. Rating levels include: Level 1 - "Unsatisfactory," Level 3 - "Fully Successful," and Level 5 - "Outstanding." IAW section 430.208(c) of reference c, the NG Performance Appraisal Program does not establish a forced distribution of performance rating levels. See Enclosure B for additional information.

6-11. Performance Standards

Performance standards should include specific, measureable, achievable, relevant, and timely (SMART) criteria (see table 1), which provide the framework for developing effective results and expectations on how well technicians perform their job to achieve the performance level.

- Specific – Describe expected accomplishments.
- Measurable – Performance element is clear and is quantified or substantiated using objective criteria
- Achievable – Goals are realistic, yet challenging and accomplished with the resources, personnel, and time available.
- Relevant – The critical element aligns with or links to organizational mission and success.
- Timely – Complete goals within realistic timeframes.

Table 1. SMART Criteria

6-12. Performance Elements

Performance elements must be aligned with the organization's goals, and describe the expectations related to the work performed. Performance elements include:

(a) Critical Element. Critical elements measure individual performance and are work assignments or responsibilities of such importance that intolerable performance on the element

would result in a determination that a technician's overall performance is rated as "Unacceptable." Performance plans must include two critical elements; both must have associated performance standards that define expectations. Supervisors will not establish critical elements for team performance.

(b) Supervisory Element. All performance elements related to supervisory duties are critical elements. The number of supervisory performance elements on performance plans for supervisors will equal or exceed the number of non-supervisory critical elements. One of the supervisory critical elements may require accountability for the effective administration of Equal Employment Opportunities, safety, or other component-specific requirements.

6-13. Effective Date

A rating of record is final when it is signed by the technician's supervisor, in his or her capacity as the rating official, and where required by Component policy, by a higher-level reviewer (HLR). A rating of record finalized before 01 June will be effective 01 June.

6-14. MyPerformance Appraisal Tool

This automated system creates, reviews, and approves performance plans; documents modifications to performance plans, progress reviews, technician input on his or her individual performance, and performance appraisals. Use the following link to access the MyPerformance Appraisal Tool at reference p.

6-15. Saving Provision

Administrative actions (such as action for unacceptable performance) initiated prior to the effective date of the new performance program, will continue to be processed consistent with the procedures and requirements of the NG Performance Appraisal Program in effect when the action was initiated.

6-16. Trial/Probationary Period Ratings

Technicians are observed and appraised during their trial/probationary period to determine if they have the qualities required for permanent Government service. Supervisors should provide specific training and assistance to improve the technician's work performance, if required. For retention beyond the trial/ probationary period, the technician's work performance must minimally rate at the "Fully Successful," Level 3 rating. A technician has satisfactorily met all assigned critical elements when they receive a "Fully Successful" rating. Forward supporting documentation to the HRO who will advise supervisors and managers on appropriate action(s) to remove the technician from Federal service if retention is not recommended. An excepted technician (Title 5 or Title 32) serving in a trial/probationary period does not receive an official performance appraisal until after completing the required 12 months of Federal service.

6-17. Technicians on Detail

When technicians are detailed to another position, either with the same or different supervisor, for a period covering 90 calendar days or more, a written performance plan will be established for this position before the detail starts.

6-18. Postponement of Annual Performance Ratings of Record

Postpone annual performance ratings of record when there has been insufficient time to observe the technician's performance in their present assignment because:

(a) The supervisor or the technician is newly assigned (less than 90 calendar days) or the technician has not been performing the regularly assigned work because of extended details or absences.

(b) The technician has not worked under the performance plan for at least 90 calendar days. Do not extend any longer than necessary to permit 90 calendar days under the performance plan.

(c) The technician is absent at the end of the appraisal period due to a work related injury. Eligible technicians who are still on agency rolls at the end of the appraisal period, but are absent due to a work-related injury, are rated based on the work performed during the appraisal period, provided they have satisfied the minimum 90 day performance period.

6-19. Retention Schedule and Transferring Technician Performance Files

Retain performance ratings of record and performance plans for four years or as required by Section 293.404 of reference q. Supervisors and technicians can print performance records they wish to maintain beyond the four-year period. When a NG technician transfers to another DoD Component or is assigned to another organization within the NG; the organization, IAW Sections 430.209 and 293 of references c and q, must transfer the most recent 4 years rating of record and any subsequent performance ratings.

6-20. Modifying Performance Plan during Appraisal Cycle

All approved modifications must be discussed with the technician. If considering a change to an element or standard within 90 calendar days of the end of the appraisal cycle when work requirements change or new duties are assigned, the supervisor may:

(a) Revise the element or standard at the beginning of the next appraisal cycle. If the technician does not have an opportunity to perform the new element(s) for the minimum 90-calendar-day period, do not rate the revised element(s). Update the plan.

(b) Extend the appraisal cycle by the amount of time necessary to allow 90 calendar days of observed performance under the revised element or standard. Extending the appraisal cycle will affect the start date of the technician's subsequent appraisal cycle; however, the subsequent appraisal cycle should still end 31 March of the following calendar year.

6-21. Monitoring Performance

Supervisors must monitor performance throughout the appraisal cycle to provide timely feedback on meeting expectations. Supervisors or technicians initiate progress reviews and document the reviews in the MyPerformance Tool. In accordance with reference b, technicians must have at least one documented progress review. Providing additional progress reviews throughout the appraisal cycle is encouraged. During progress reviews, do not give technicians a performance rating on each critical element.

6-22. Technician Input. The absence of technician input does not relieve the supervisor of the responsibility for writing a narrative statement assessing the technician's performance standards and contributions. See Enclosure A.

6-23. Performance Narrative

Performance narratives are required for each element rated "Outstanding" and "Unacceptable." Additionally, performance narratives are highly encouraged for each element rated "Fully Successful" as a means of recognizing all levels of accomplishments and contributions to mission success.

ENCLOSURE A RESPONSIBILITIES

1. Manpower and Personnel Directorate (NGB-J I). The Director of NGB-J I will oversee the NG Technician Performance Appraisal Program.

2. NGB-J I Technician Personnel Office (NGB-J I-TN). NGB-J I-TN will:

(a) Oversee the implementation, application, and evaluation of performance management programs within the NG.

(b) Ensure that the NG Performance Appraisal Program procedures and requirements are applied IAW this instruction.

(c) Ensure that new supervisors and employees, as well as those transferred or promoted, receive information and are properly oriented to the NG Performance Appraisal Program.

3. The Adjutant General (TAG). TAG will:

(a) Hold managers and supervisors accountable for proper operation and administration of the NG Technician Performance Appraisal Program.

(b) Communicate with supervisors and technicians, through formal training, about relevant parts of the NG Performance Appraisal Program.

(c) Establish State review and appeal processes to review and resolve complaints about assigned ratings.

(d) Ensure that managers and supervisors are appraised on performance in furthering Equal Opportunity goals and objectives, and other supervisory leadership critical elements.

(e) Ensure written performance plans are established for each technician position, including those serving in a trial/probationary period.

4. Human Resources Officer (HRO). HRO will:

(a) Assist managers in establishing the NG Performance Appraisal Program that provides meaningful, efficient methods for the evaluation of an individual, team (where elected), and organizational performance in partnership with technicians and their union representatives IAW reference r.

(b) Administer the NG Technician Performance Appraisal Program and provide timely advice and assistance to managers, supervisors, and technicians.

(c) Develop and conduct training necessary to ensure all personnel involved in the appraisal process are adequately trained in the NG Technician Performance Appraisal Program including responsibilities of all parties.

(d) Notify supervisors and managers of due dates for technician performance ratings and follow up when not received in a timely manner.

5. Managers and Supervisors. Managers and Supervisors will:

(a) Effectively manage the performance of assigned employees.

(b) Execute merit system principles IAW reference s.

(c) Ensure employees are trained in the NG Technician Performance Appraisal Program.

(d) Clearly communicate performance plans to employees, and hold employees responsible for accomplishing their critical elements and performance standards.

(e) Align performance plans and employee development with organizational mission and goals.

(f) Develop written critical elements, and performance standards and ensure performance plans include elements and standards.

(g) Provide employees meaningful, constructive, and candid feedback relative to their performance, including at least one documented interim review.

(h) Ensure employees are aware of the opportunity to provide self-assessments.

(i) Foster and reward excellent performance.

(j) Address poor performance.

(k) Make meaningful distinctions among employees based on their performance and the employee's contributions aligned with the strategic goals and objectives.

(l) Complete closeout assessments, annual appraisals, and special purpose appraisals, as appropriate.

(m) Ensure eligible employees are assigned a rating of record IAW this instruction.

6. Technicians. Technicians are encouraged to:

(a) Engage in dialogue with supervisors to develop written critical elements and performance standards.

- (b) Identify and record their accomplishments and results throughout the appraisal period.
- (c) Participate in interim reviews and the end-of-year assessments, including the self-assessment.
- (d) Understand the link between their performance standard, conduct, and organizational mission and goals.
- (e) Provide written input about their performance accomplishments for supervisors to consider in evaluating each of the performance elements and overall performance accomplishments. Technician input is highly encouraged and valuable for progress reviews during and at the end of the appraisal cycle where the technician input becomes a part of the technician performance file.

7. Higher Level Reviewer. The HLR will review and approve a rating of record of "Unacceptable" (Level 1).

ENCLOSURE B RATING

1. Rating Technician Performance. Supervisors will assign an individual performance element rating of either 5, 3, or 1 to each critical element. Ratings are averaged to calculate the overall rating of record, which reflects the technician's job performance during the appraisal cycle based on the rating criteria outlined below.

(a) Level 5 – Outstanding. The average score of all critical element performance ratings is 4.3 or greater, with no critical element being rated a Level 1 (Unacceptable), resulting in an overall rating of record of Level 5 (Outstanding). Rating criteria includes:

- (1) Produces exceptional results or exceeds expectations well beyond specified outcomes and sets targeted metrics high and far and exceeds them.
- (2) Handles roadblocks or issues exceptionally well and makes a long-term difference in doing so.
- (3) Is widely seen as an expert, valued role model, or mentor for this work.
- (4) Exhibits the highest standards of professionalism.

(b) Level 3 – Fully Successfully. The average score of all critical element performance ratings is less than 4.3, with no critical element being rated a Level 1 (Unacceptable), resulting in an overall rating of record of Level 3 (Fully Acceptable). Rating criteria includes:

- (1) Effectively produces specified outcomes, and sometimes exceeds them.
- (2) Consistently achieves targeted metrics.
- (3) Proactively informs supervisor of potential issues or roadblocks and offers suggestions to address or prevent them.
- (4) Achieves goals with appropriate level of supervision.

(c) Level 1 – Unacceptable. Any critical element rated as a Level 1 (Unacceptable) results in an overall rating of record of Level 1 (Unacceptable). Rating criteria includes:

- (1) Does not meet expectations for quality of work; fails to meet many of the required results for the goal.
- (2) Is unreliable; makes poor decisions; misses targeted metrics (e.g. commitments, deadlines, quality).
- (3) Lacks or fails to use skills required for the job and requires much more supervision than expected for a technician at this level.

(d) Not Rated. The technician does not have an opportunity to perform work associated with a performance element for 90 calendar days during the appraisal cycle

2. Unacceptable Ratings. HLRs must review and approve a rating of record of "Unacceptable" (Level 1).

(a) If a technician does not have an opportunity to perform work associated with a performance element for 90 calendar days during the appraisal cycle, no performance element rating will be assigned for that performance element. An unrated performance element cannot be used as a factor in deriving a rating of record.

(b) The rating of record or individual performance element rating assigned to a critical element for a disabled veteran will not be lowered because the veteran has been absent from work to seek medical treatment, as provided in Section 430.208(f) of reference c.

3. Addressing Performance Issues Early. When a supervisor detects a decline in performance, early intervention is imperative. The supervisor should take the following actions, as appropriate:

(a) Clearly communicate to the technician that current performance fails to meet the performance standards described in the performance plan; provide clear guidance as to what is needed in order for the technician to improve; and provide specific examples of what and how work has not met expectations, as well as examples of work that would meet expectations.

(b) Offer appropriate assistance.

(c) Provide ideas of where the technician may go to obtain additional assistance or training, if applicable.

(d) Provide closer supervision and feedback. This might include more frequent reporting, special assignments, or on-the-job training.

(e) If performance issues persist, use a more formal approach to help technicians improve and seek assistance from the Human Resources Office.

4. Appraisals for Technicians who are Absent - Uniformed Service Status for less than 5 years. See Appendix A to Enclosure B.

5. Appraisals for Technicians who are Absent - Uniformed Service Status for more than 5 years. See Appendix B to Enclosure B.

6. Appraisals for Technicians Absent at the End of the Appraisal Period Due to a Work Related Injury. Eligible technicians who are still on agency rolls at the end of the appraisal period but who are absent due to a work-related injury will be rated based on the work performed during the appraisal period, provided they have satisfied the minimum 90 day performance period. The Performance Appraisal Program procedures described in this instruction will be observed to the extent practicable.

APPENDIX A TO ENCLOSURE B

SAMPLE APPRAISALS FOR TECHNICIANS WHO ARE ABSENT - UNIFORMED SERVICE STATUS FOR LESS THAN 5 YEARS

Example A: The appraisal period started 1 Apr and the technician was on an approved performance plan for more than 90 calendar days and is not expected to return before the end of the current rating period 31 March.

-Approved Plan: supervisor	1 Apr 17 – 15 Jul 17	Met the minimum period – completes appraisal
-Deployed:	16 Jul 17 – 15 Apr 18	
-Returned to Duty	16 Apr 18	Supervisor initiates new performance plan
-New Appraisal Period	16 Apr 18 – 31 Mar 19	

Example B: The technician was on an approved performance plan for more than 90 calendar days, and is expected to return before the end of the current rating period 31 Mar.

-Approved Plan:	1 Apr 17 – 6 Jul 17	Met the minimum period
-Deployed:	7 Jul 17 – 1 Nov 17	Treat as if never left
-Returned to Duty	2 Nov 17 – 31 Mar 18	Supervisor completes appraisal

Example C: The technician **was not** on an approved plan for at least 90 calendar days prior to deployment, however the technician returns to duty; and there will be at least 90 calendar days between the return date and the end of the rating period 31 March.

-Approved Plan:	1 Apr 17 – 15 Jun 17	Less than minimum period
-Deployed:	16 Jun 17 – 22 Dec 17	Treat as if never left
-Returned to Duty:	23 Dec 17	
-Remaining Time:	23 Dec 17 – 31 Mar 18	Met minimum period; supervisor completes appraisal

Example D: The technician was **not on** an approved performance plan for at least 90 calendar days prior to deployment and there **will not** be at least 90 calendar days between the return date and the end of the rating period. The supervisors will assign their most recent rating of record as the new rating of record for the appraisal cycle.

-Approved Plan:	1 Apr 17 – 15 Jun 17	Less than minimum period
-Deployed:	16 Jun 17 – 15 Feb 18	
-Returned to Duty	16 Feb 18	Supervisor assigns most recent rating of record for 1 Apr 17 -15 Feb 18
-New Appraisal Period:	16 Feb 18 – 31 Mar 19	Supervisor initiates new performance plan

APPENDIX B TO ENCLOSURE B

SAMPLE APPRAISALS FOR TECHNICIANS WHO ARE ABSENT - UNIFORMED SERVICE STATUS FOR MORE THAN 5 YEARS

Question: Are supervisors required to complete an annual performance appraisal while a technician is in Absent-U.S. status "for five years or more?" Note: This process and procedure is only applicable for those technicians who will be on a Title 32 or Title 10 Active Guard Reserve tour for more than five years.

Response: No, see Resolution below.

Background: Central Personnel Data File Edit 472.04.2, states "If rating of record (period) (date appraisal period starts and date appraisal period ends) is not spaces, then it must not be more than 5 years earlier than the Effective Date of Personnel Action."

Resolution: Technicians who do not have three appraisals on file will be credited with a Fully Successful rating for any missing appraisals. This rating of record will need to be manually updated within the Defense Civilian Personnel Data System (DCPDS) and not through MyPerformance Appraisal Tool. QPR: HRS(IS)

ENCLOSURE C

PERFORMANCE IMPROVEMENT PLAN

1. Addressing Unacceptable Performance. If the technician's performance declines to less than "Fully Successful" in one or more performance elements, the supervisor, in consultation with the HRO will determine what action is appropriate, and must provide notice of the performance deficiencies IAW reference c. The supervisor must assist the technician in improving his or her performance during an opportunity period to demonstrate acceptable performance in a PIP.

2. Performance Improvement Plan (PIP) Creation. The supervisor creates a PIP. PIPs must include the critical element(s) in which performance is "Unacceptable" and a description of the unacceptable performance; standards the technician must attain in order to demonstrate a "Fully Successful" performance; and the time-span allowed for improvement.

(a) Time-spans must commensurate with the duties and responsibilities of the position, typically 30-90 calendar days and a statement of possible consequences of failure to raise performance to the "Fully Successful" level during the opportunity period.

(b) If the technician fails to demonstrate performance at the "Fully Successful" level despite the PIP, the technician may be subject to reassignment, or be reduced in grade, or removed from Federal service at TAG's discretion (see Appendix A and B to Enclosure C).

APPENDIX A TO ENCLOSURE C

SAMPLE PERFORMANCE IMPROVEMENT PLAN MEMORANDUM

MEMORANDUM FOR XXXXX
XXXXX

Date:

FROM: XXXXX

Subject: Notice of Opportunity to Improve Performance

1. This memorandum is official notice that your current performance in your position of Personnel Officer, GS-0201-11, is unacceptable. I discussed with you your current critical element on 15 Apr 20XX, and you signed your approved performance plan on 01 May 20XX. You were assigned a Level 1 rating of unacceptable which was closed on 31 Mar 20XX. The annual assessment is attached for your review.

2. Specifically, your performance is unacceptable in that you have not met the performance standards for Critical Element 1. The performance deficiencies and the required improvements are listed below:

a. Critical Element 1: Provides supervision for approximately seven technicians on effective personnel and performance management. Ensures positive Equal Employment Opportunity (EEO) and human relations concepts are applied in personnel activities. Ensures responsible recruitment in consultation with the squadron commander. Supports the EEO Program through positive personal involvement, e.g. complaint resolution, participation in special emphasis programs, community action, interaction with EEO officials, and identification and correction of institutional barriers to equality and opportunity.

b. Performance Deficiencies: A State EEO Unit Staff Assistance Visit rated the human relations climate in the section as unsatisfactory. The Equal Employment Office was specifically mentioned as one of the problem areas. In my 18 May 20XX feedback session I charged you to find ways to improve your area and told you some specific improvements you could make. You have not discussed with me any ideas for improvement nor have I seen any change in this area. Several months ago, you received a grievance which contained allegations of discrimination and racism. You have taken no action to process this grievance or refer the technician to an EEO Counselor. You did not inform me of this grievance.

c. Improvement Required: Take steps to improve the human relations climate in your organization. Discuss with me how you plan to improve this climate. Process the grievance immediately or refer to EEO Counselor as appropriate.

d. Improvement Required: Establish professional, effective working relationships with all you customers.

3. I have outlined the critical elements of your performance plan for which your performance is now considered unacceptable. I will allow you 90 calendar days from the date of this memorandum to improve your performance to an acceptable level (Level 3 or higher). I will periodically discuss with you your progress in attaining acceptable performance during this improvement period. I will be available whenever you need assistance and will furnish any appropriate guidance or training you need in order for you to meet your performance standards.
4. At the end of 90 calendar days, I will again evaluate your performance. This evaluation will include all aspects of your performance as outlined in your performance plan. Additionally, your performance must be at least a Level 3 for all critical elements in the performance plan.
5. My intention is to provide you the opportunity to improve your performance. If you believe your current unacceptable performance is the result of a condition of which I am unaware, please discuss this matter with me immediately and provide any necessary documentation and requests for accommodation for my consideration. If there are other personal problems which you believe are affecting your performance, I strongly recommend you consult with the HRO, Employee Assistance Program (EAP) Coordinator. Participation in the EAP program is voluntary.
6. If at the end of the 90-day period, your performance is considered fully successful, or Level 3 rating, no further action will be required. If, however, your performance continues Unacceptable, or Level 1 rating, I will take appropriate administrative action. Such action could include reassignment, demotion, or removal from the Federal service based on unacceptable performance. Be advised, such action may be affected up to one year following the beginning of the 90-day performance improvement period should your performance again fall below the Level 3 rating.

Supervisor's Signature Block

CF: Human Resources Office

I acknowledge receipt of this Performance Improvement Plan

Technician's Signature Block

APPENDIX B TO ENCLOSURE C

**SAMPLE NOTICE OF WRITTEN DECISION BASED ON UNACCEPTABLE
PERFORMANCE**

MEMORANDUM FOR XXXXX
XXXXX

Date:

FROM: XXXXX

Subject: Decision to Remove/Change to Lower Grade – Unacceptable Performance

State the specific action being taken, i.e., removal, or change to lower grade. Include series and grade of position incumbent occupies and show full unit name and mailing address to which the technician is assigned. For example:

1. This memorandum will serve as your formal notice of (removal/ change to lower grade) not earlier than thirty (30) calendar days from the date of your receipt of this notice. The reasons for this action are:

(Give the reason for action. Use all available information in sufficient detail so the technician will understand why the action is being taken.)

a. On 01 May 20XX, you and I established written critical elements and performance standards for your position. At the time, you acknowledged our discussion of these critical elements and performance standards.

b. On 18 October 20XX, I informed you orally and in writing that your performance regarding critical element number X pertaining to _____ was below the Level 3 rating because you had failed to (list specific instances of unacceptable performance on which this action is based). On 18 October 20XX, I provided you with specific written instructions on how to improve your performance on this critical element. You were provided a performance improvement plan and period.

c. Despite counseling and on-the-job training, your performance of this critical element continues to be Unacceptable, Level 1 rating. Therefore, I have initiated this action for (reassignment, removal, or change to a lower grade).

2. Copies of the performance assessment materials relied upon to support this decision are attached. You may reply to this notification, either orally or in writing, or you may appeal the unacceptable performance appraisal to the State Review and Appeals Board. You may submit affidavits in support of your response. Your response will be considered an appeal unless you specify otherwise. To be considered, your response must arrive within fifteen (15) calendar days of receipt of this notice. Consideration will be given to extend this period if you submit a request stating your reasons for requiring additional time. You will be given a final determination as

soon as practicable after the State Review and Appeals Board has made its recommendations to TAG.

3. You may contact "(name)" in the Human Resources Office for procedural guidance at DSN: xxx-xxx or Commercial (xxx) xxx-xxx.

Supervisor's Signature Block

CF: Human Resources Office

I acknowledge receipt of this notice/memorandum.

Technician's Signature Block

ENCLOSURE D

RECOGNIZING AND REWARDING PERFORMANCE

1. Incentives. States will develop recognition and rewards programs that embody strong business principles. The awarding of monetary or other tangible rewards must comply with applicable State and Federal law and DoD policies. Supervisors can strengthen the performance culture and influence technician engagement by using recognition throughout the appraisal cycle. Recognize performance and achievements as they occur.

(a) When a supervisor publicly recognizes technician or team efforts, he or she communicates the types of activities and accomplishments the organization values in a meaningful way.

(b) Recognition and rewards are not entitlements. Achievements or contributions should be related to organizational mission and goals and to exceeding expectations.

(c) Rewards should be an integral part of performance management.

2. Linking Performance Management to Other Personnel Actions.

(a) Promotion. A technician must meet minimum qualification standards and other promotion criteria to be eligible for a promotion under a merit promotion plan pursuant to Section 335.103 of reference n. To be eligible for a career ladder promotion under a merit promotion plan pursuant to Section 335.104 of reference n, a technician must be performing at the "Fully Successful" level, or higher. However, the fact that technicians are rated "Fully Successful" or higher at the time they are eligible for promotion does not mean promotions are automatic.

(b) With-In-Grade Increase (WGI). WGIs or periodic step increases are increases in a technician's rate of basic pay from one step of the grade of his or her position to the next higher step of that grade pursuant to subpart D of reference i and section 532.417 of reference j. Supervisors will discuss an upcoming WGI with the technician and may document the date of this conversation in the section designated for progress reviews in the MyPerformance Appraisal Tool.

1. The decision to grant or deny a WGI is based on the technician's most recent rating of record issued within the WGI waiting period . To receive a WGI, the technician must be performing at the "Fully Successful" level, or higher with a rating of record of "3" or higher.

2. When a WGI decision is not consistent with the technician's most recent rating of record a more current rating of record must be prepared. When considering denial of a WGI, supervisors should contact their servicing human resources office for further information and assistance in following the requirements in Sections 531.409 and 531.411 of references i.

3. Quality Step Increase (QSI). The purpose of a QSI is to recognize excellence in performance by granting an accelerated step increase. A QSI is a permanent salary increase for General Schedule technicians only, and careful consideration should be given before granting a QSI. QSIs must be limited to those cases where exceptional performance has extended over a significant period of time and is expected to continue into the future. To be eligible for a QSI, a technician must:

- (a) Currently be paid below step 10 of his or her grade.
- (b) Have a most recent rating of record of Level 5 "Outstanding".
- (c) Have demonstrated sustained performance of high quality for a significant period of time.
- (d) Have not received a QSI (or QSI-equivalent under a personnel system other than the General Schedule) within the preceding 52 consecutive calendar weeks.

4. Performance-Based Awards. Refer to references k, l and m, MSNG HRR, Chapter 13, and collective bargaining agreements, if applicable, for more information on performance-based awards.

ENCLOSURE E

SPECIALLY SITUATED TECHNICIANS

1. Technicians Absent for Military Service. Technicians who are absent for military service will be rated provided they have performed work under an approved performance plan for a minimum of 90 calendar days. If technicians performing military service do not meet the 90 calendar day requirement, supervisors will assign their most recent rating of record as the new rating of record for the appraisal cycle (See Appendix A and B to Enclosure B).

2. Technicians on Leave Without Pay or Extended Paid Leave. If a technician is absent during the appraisal cycle because he or she was on leave without pay or extended paid leave (including disabled veterans seeking medical treatment), the technician is eligible to receive a rating of record if he or she has performed work under an approved performance plan for a minimum of 90 calendar days. However, if a technician does not meet the 90-calendar day requirement, then he or she is not eligible to receive a rating of record.

3. Technicians on Long-Term Full-Time Training. Technicians attending a program of long-term full-time training greater than 90 calendar days may have a performance plan developed related to the training. The plan could include elements related to the achievement of specific training objectives. In this situation, supervisors may wish to contact the respective training activity for assistance and recommended input to the performance plan.

4. Technicians Who Transfer or Supervisors Who Leave During the Appraisal Cycle. The length of time a technician serves under an approved performance plan determines what is required when a technician or supervisor leaves the organization.

(a) If a supervisor leaves the organization, a performance narrative statement is required when a technician has performed under an approved performance plan for 90 calendar days and there are more than 90 calendar days left in the appraisal cycle. This narrative statement will be considered by the incoming supervisor.

(b) A rating of record is required when a technician has performed under an approved performance plan for 90 calendar days and the technician or supervisor leaves the organization with fewer than 90 calendar days remaining in the appraisal cycle. If circumstances preclude the departing supervisor from carrying out this responsibility, the higher-level management official may serve as the rating official.

ENCLOSURE F

REVIEW AND APPEAL PROCESS

1. Reconsideration of a Performance Appraisal. Technicians may seek reconsideration of a performance appraisal or issues related to the performance appraisal process through the administrative grievance system. In accordance with reference r, technicians may not challenge contents (for example, performance elements or standards) of a technician performance plan and decisions to grant or not grant a performance award or QSI through the administrative grievance system.

2. Final Appellate Authority. TAGs are the final appellate authority on:

(a) Whether a technician should be demoted rather than reassigned as a result of a performance-based action IAW reference d.

(b) The accuracy of performance appraisals.

(c) Other aspects of compliance with this instruction.

3. Establishment of a Review and Appeals Board. TAGs will establish an appeals process for technicians to appeal a performance appraisal. States may establish a standing or ad hoc Review and Appeals Board to provide an impartial review of performance appraisal appeals. For appeals of performance ratings other than unacceptable performance, States may choose to provide for a supervisory chain of command review process in lieu of a board appeal. A higher-level official in the supervisory chain (not previously involved in this appraisal process) performs an impartial review and provides a recommendation to TAG.

4. State Review and Appeals Board. The State Review and Appeals Board will consist of at least three members to provide an impartial review on performance appraisal appeals. Members serving on this board cannot be in the chain of command of the technician who is filing an appeal and should not be in a lower graded position than the appealing technician. Peers of the appellant can be chosen to serve on the board. The technician is entitled to representation during the board process at no cost to the government. The board will not review appeals that have been grieved through the administrative grievance procedure.

5. Filing an Appeal. A technician desiring to file an appeal of a performance appraisal, other than for "Unacceptable" performance, may file an appeal to the HRO (who will convene the board) no later than 30 calendar days after the technician's receipt of the appraisal.

(a) An appeal based on "Unacceptable" performance must be filed within the 15 calendar day advance written notice period outlined in Appendix B to Enclosure C.

(b) Submit appeals through the HRO and include information listed as follows:

(1) Technician's Name

- (2) Organization
- (3) Appraisal being appealed
- (4) Why the appraisal should be change
- (5) Performance level requested
- (6) Date notice received

Note: When any of the necessary information is not available, the technician should submit what is available and state why the other information is not available. HRO will establish the board.

6. Final Decision. Supervisors have the right to present their case, however, TAGs will make the final decision. All members of the board must be present at all times during the hearing and must participate in proposing a recommendation. A technician has no appeal rights beyond TAG on these matters.

7. Board Procedures. During the proceedings, the board may admit oral /or written evidence from the technician or the technician's immediate supervisor. The technician and the technician's representative (if desired by the technician), and the representative of TAG will submit any additional information they deem pertinent. Such information may be presented orally, by presentation of witnesses, or in writing.

(a) In reviewing performance appraisal appeals, including unacceptable performance, the board will, by majority, vote or recommend to TAG to either change the appraisal or sustain the appraisal without change. When reviewing "Unacceptable" performance ratings, the board will only be concerned with the performance appeal. It will not review the personnel action taken because of an unacceptable appraisal.

(b) Supervisors have the right to present their case and TAGs will make the final decision. All members of the board must be present at all times during the hearing and must participate in proposing a recommendation. A technician has no appeal rights beyond TAG on these matters.

(c) Both oral and written information may be submitted to reach a decision as long as the technician, the technician's representative, and the representative of TAG are given the opportunity to hear, and reply to the information submitted by the other parties and given an opportunity to question any witnesses. If any of these individuals are absent during the oral presentation, the absentee(s) must be furnished in writing, any evidence admitted in their absence.

(d) The board may not use any written information to render a recommendation until the technician, the technician's representative (if any), and the representative of TAG have had an opportunity to examine and reply to the evidence.

(e) Board members must serve as impartial fact finders and review each case objectively. Within 15 calendar days of completion of the board's proceedings, the board will complete a review of the evidence and submit their recommendations directly to TAG with an information copy to the HRO.

ENCLOSURE G

REFERENCES

- a. CNGB Instruction 1400.25A, Day Month Year, "NG Technician Personnel Program"
- b. DoD Instruction 1400.25, Volume 431, 04 February 2016, DoD Civilian Personnel Management System: Performance Management and Appraisal Program"
- c. Title 5, Code of Federal Regulations, part 430 (5 CFR 430). "Performance Management"
- d. Title 32 United States Code (U.S.C.), Section 709, "Technicians, Employment, Use Status"
- e. 5 U.S.C. 9902, "Department of Defense Personnel Authorities"
- f. 5 Code of -Federal Regulations (CFR) 2635, "Standards of Ethical Conduct for Technicians in the Executive Branch"
- g. DoD Directive 5500.7, 29 November 2007, "Standards of Conduct"
- h. Technician Personnel Regulation (TPR) 752, 27 August 2010, "Discipline and Adverse Action"
- i. 5 CFR 531, "Pay Under the General Schedule"
- j. 5 CFR 532, "Prevailing Rate Systems"
- k. DoD Instruction 1400.25, Volume 451, 04 November 2013, "DoD Civilian Personnel Management System: Awards"
- l. 5 CFR 451, "Awards"
- m. TPR 451, 15 December 1998, "Awards"
- n. 5 CFR 335, "Promotion and Internal Placement"
- o. TPR 300 (351), "Reorganizations, Realignment, and Reduction in Force", 25 November 1993
- p. MyPerformace Apprasial Tool <<https://compo.dcpds.cpms.osd.mil/>>
- q. 5 CFR 293, "Personnel Records"
- r. Title 5 U.S.C. Chapter 71, "Labor Management Relations"

s. Title 5 U.S.C. Chapter 23, "Merit System Principles"

t. CNGB Instruction 1400.25, Volume 431, 24 January 2018, "National Guard Technician Performance Appraisal Program."

GLOSSARY

PART I - ACRONYMS

DoD	Department of Defense
DCPDS	Defense Civilian Personnel Data System
HLR	Higher-Level Reviewer
IAW	In accordance with
NG	National Guard
NGB	National Guard Bureau
NGB-J1	Manpower and Personnel Directorate
NGB-J 1-TN	Technician Personnel Division
PIP	Performance Improvement Plan
QSI	Quality Step Increase
SMART	Specific, Measurable, Achievable, Relevant, and Timely
TAG	The Adjutant General
WGI	Wage Grade Increase

GLOSSARY

PART II - DEFINITIONS

Accountability -- The pyramid of responsibility beginning with the individual and building to top management which includes setting appropriate and reachable organizational goals and focusing on the work that must be done to reach those goals; communicating the goals and tasks to others; clarifying expectations and defining roles and responsibilities; establishing meaningful measurements of success; and fostering effective feedback loops.

Appraisal -- The process by which technicians are informed of how their performance compares against established performance standards, resulting in final performance appraisals at the end of the established appraisal period.

Appraisal Period -- The established period of time during which performance will be monitored and assessed.

Appraisal Period End Date -- The last day of the appraisal period.

Critical Element -- A work assignment or responsibility of such importance that unacceptable performance on the element would result in a determination that a technician's overall performance is unacceptable.

Eligible Technician -- A technician who, on the last day of the appraisal period, has satisfied the minimum period of performance under an approved performance plan.

Performance Appraisal Application Tool -- The web-based tool that supports the performance planning and appraisal process, now accessible via MyBiz+ or MyTeam in the Defense Civilian Personnel Data System.

Performance Improvement Period -- A formal observation period, normally 30 to 90 calendar days, that gives the technician the opportunity to improve their performance before a removal or demotion action can be taken based on unacceptable performance.

Performance Plan -- All of the written, or otherwise recorded, performance elements that set forth expected performance that include all critical and non-critical elements and their performance standards. It also may include additional performance elements and their performance standards, if any.

Performance Standard -- The management-approved expression of the performance threshold(s), requirement(s), or expectation(s) that must be met to be appraised at a particular level of performance. A performance standard may include, but is not limited to, quality, quantity, timeliness, and manner of performance.

Rating Official -- A representative of management, usually the immediate supervisor, who is approved by the agency to evaluate and assess technician performance.

Rating of Record -- The performance rating prepared at the end of an appraisal period for performance over the entire period and the assignment of a summary level as specified in section 430.208(d) of reference c.

Rating of Record Effective Date -- The date the rating official (or the higher level reviewer, if applicable) signs off on the rating.

Self-Assessment -- A technician's narrative description of their year-to-date accomplishments related to their critical elements and performance standards. Self-assessments are optional, and serve as a means by which a technician is able to actively participate in MyPerformance.

Unacceptable Performance -- Failure to meet established performance standards in one or more critical elements.